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9 Attorneys for Defendant and Counter-claimant
10 COOLIT SYSTEMS, INC. and Defendants
CORSAIR GAMING, INC. and CORSAIR
MEMORY, INC.

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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION
16
17 ASETEK DANMARK A/S,
18 Plaintiff and
Counter-defendant,
19 v.
20 COOLIT SYSTEMS, INC.,
21 Defendant and
Counter-claimant,
22
23 CORSAIR GAMING, INC. and CORSAIR
MEMORY, INC.,
24 Defendants.
25

26 Case No. 3:19-cv-00410-EMC
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**DECLARATION OF REUBEN H. CHEN IN
SUPPORT OF DEFENDANTS' MOTION TO
EXCLUDE CERTAIN OPINIONS OF DR.
DAVID B. TUCKERMAN REGARDING
INVALIDITY OF THE ASSERTED COOLIT
PATENTS, NON-INFRINGEMENT OF THE
ASSERTED COOLIT PATENTS, AND
INFRINGEMENT OF THE ASSERTED
ASETEK PATENT**

1 I, Reuben H. Chen, do hereby declare as follows:

2 1. I am an attorney licensed to practice before this Court and all courts of the State of
3 California, and am a partner with Cooley LLP, counsel for Defendant and Counter-claimant CoolIT
4 Systems, Inc. (“CoolIT”), Defendant Corsair Gaming, Inc., and Defendant Corsair Memory, Inc.
5 (collectively, “Defendants”) in the above-entitled action. I submit this declaration in support of
6 Defendants’ Motion to Exclude Certain Opinions of Dr. David B. Tuckerman Regarding Invalidity of
7 the Asserted CoolIT Patents, Non-infringement of the Asserted CoolIT Patents, and Infringement of
8 the Asserted Asetek Patent. The matters stated herein are based upon my personal knowledge, and if
9 called as a witness, I would testify as to the following statements.

10 2. Attached hereto as **Exhibit 1** is a true and correct copy of Expert Report of Dr. David
11 B. Tuckerman Regarding Invalidity of U.S. Patent Nos. 8,743,330; 9,603,284; and 10,274,266, served
12 November 3, 2021.

13 3. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts of the deposition
14 transcript of David Tuckerman, Ph.D., conducted on December 20, 2021, including his deposition
15 errata. Relevant portions of the deposition transcript have been highlighted for the convenience of the
16 Court.

17 4. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts of the deposition
18 transcript of David Tuckerman, Ph.D., conducted on December 22, 2021, including his deposition
19 errata. Relevant portions of the deposition transcript have been highlighted for the convenience of the
20 Court.

21 5. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts of the deposition
22 transcript of Andre S. Eriksen, Ph.D., conducted on August 24, 2021. Relevant portions of the
23 deposition transcript have been highlighted for the convenience of the Court.

24 6. Attached hereto as **Exhibit 5** is a true and correct copy of excerpts of the deposition
25 transcript of David B. Tuckerman, Ph.D., conducted on March 18, 2022. Relevant portions of the
26 deposition transcript have been highlighted for the convenience of the Court.

1 7. Attached hereto as **Exhibit 6** is a true and correct copy of excerpts from the Expert
2 Report of Himanshu Pokharna, Ph.D. in Response to Dr. Tuckerman's Report on Invalidity of U.S.
3 Patent Nos. 8,746,330; 9,603,284; and 10,274,266, served on December 8, 2021.

4 8. Attached hereto as **Exhibit 7** is a true and correct copy of a document marked as Exhibit
5 275 at the deposition of David Tuckerman, Ph.D., conducted on December 20, 2021.

6 9. Attached hereto as **Exhibit 8** is a true and correct copy of the Rebuttal Expert Report
7 of Dr. David B. Tuckerman Regarding Non-Infringement of U.S. Patent Nos. 8,746,330; 9,603,284;
8 and 10,274,266, served on December 8, 2021.

9 10. Attached hereto as **Exhibit 9** is a true and correct copy of an email from Joel Dion to
10 Robert McCauley, sent on September 11, 2014, with attachment.

11 11. Attached hereto as **Exhibit 10** is a true and correct copy of excerpts from the U.S.
12 Patent No. 7,971,632 file history, Reply to Office Action, dated December 18, 2008.

13 12. Attached hereto as **Exhibit 11** is a true and correct copy of excerpts from the Rebuttal
14 Report of Dr. John P. Abraham Regarding Infringement of Asetek Danmark A/S's Asserted Patent
15 Claims, served December 8, 2021.

16 13. Attached hereto as **Exhibit 12** is a true and correct copy of the Expert Report of Dr.
17 David B. Tuckerman Regarding Infringement of U.S. Patent Nos. 8,240,362; 10,613,601; and
18 10,599,196, served on November 3, 2021.

19 14. Attached hereto as **Exhibit 13** is a true and correct copy of Exhibit A-1 Invalidity Claim
20 Chart for U.S. Patent No. 8,743,330, served September 6, 2019.

21 15. Attached hereto as **Exhibit 14** is a true and correct copy of excerpts from Exhibit B to
22 the Expert Report of Dr. David B. Tuckerman Regarding Invalidity of U.S. Patent Nos. 8,743,330;
23 9,603,284; and 10,274,266, served November 3, 2021.

24 16. Attached hereto as **Exhibit 15** is a true and correct copy of excerpts of the Declaration
25 of Donald E. Tilton, Ph.D. from *Asetek Danmark A/S v. CoolIT Systems, Inc.*, IPR2020-00825
26 (P.T.A.B.), Asetek Exhibit 1003, dated April 10, 2020.

17. Attached hereto as **Exhibit 16** is a true and correct copy of Dr. Tuckerman's Exhibit A, Materials Considered in Preparation of Non-Infringement Expert Report, served on December 8, 2021

18. Attached hereto as **Exhibit 17** is a true and correct copy of a document marked as Exhibit 277 at the deposition of David Tuckerman, Ph.D., conducted on December 22, 2021. The document is titled Corrected Supplemental Declaration of Donald E. Tilton, Ph.D., from *Asetek Danmark A/S v. CoolIT Systems, Inc.*, IPR2020-00825 (P.T.A.B.), Asetek Exhibit 1032, dated May 10, 2021.

19. Attached hereto as **Exhibit 18** is a true and correct copy of a document marked as Exhibit 278 at the deposition of David Tuckerman, Ph.D., conducted on December 22, 2021. This document is a redlined comparison of Paragraphs 2 and 4 of Dr. Tilton's Supplemental Declaration in IPR2020-00825 (Ex. 17) to Paragraphs 48 and 50 of the Rebuttal Expert Report of Dr. David B. Tuckerman Regarding Non-Infringement (Ex. 8).

20. Attached hereto as **Exhibit 19** is a true and correct copy of excerpts of the deposition transcript of David B. Tuckerman, Ph.D., conducted on December 30, 2021. Relevant portions of the deposition transcript have been highlighted for the convenience of the Court.

21. Attached hereto as **Exhibit 20** is a true and correct copy of excerpts of the deposition transcript of Carl-Fredrik Stein, Ph.D., conducted on January 11, 2022. Relevant portions of the deposition transcript have been highlighted for the convenience of the Court.

22. Attached hereto as **Exhibit 21** is a true and correct copy of Exhibit E, Materials Considered in Preparation of Invalidity Expert Report, served on November 3, 2021.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

EXECUTED at Sunnyvale, California on this 31st day of March, 2022.

/s/ Reuben H. Chen
Reuben H. Chen